

ASSEMBLY BILL

No. 1937

Introduced by Assembly Member Fletcher

February 17, 2010

An act to amend Section 49403 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1937, as introduced, Fletcher. Pupil health: immunizations.

Existing law requires the governing board of a school district to cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in schoolage children, and authorizes the board to permit a licensed physician and surgeon or a licensed registered nurse acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil whose parents have consented, as specified.

This bill would also authorize a school district to permit any other licensed health care practitioner who is acting under the direction of a supervising physician and surgeon and whose license or certificate authorizes the holder to administer an immunizing agent, to administer an immunizing agent to those pupils. The bill would also make other technical changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49403 of the Education Code is amended
2 to read:

1 49403. (a) ~~Anything to the contrary notwithstanding,~~
2 *Notwithstanding any other law*, the governing board of ~~any a~~
3 school district shall cooperate with the local health officer in
4 measures necessary for the prevention and control of communicable
5 diseases in ~~school age~~ *schoolage* children. For that purpose, the
6 board may use any funds, property, and personnel of the district,
7 and may permit ~~any person a~~ licensed as a physician and surgeon;
8 ~~or any person licensed as a registered nurse acting under the~~
9 ~~direction of a supervising physician and surgeon as provided in~~
10 ~~subdivisions (b) and (c) or any other health care practitioner who~~
11 ~~is acting under the direction of a supervising physician and surgeon~~
12 ~~and is either licensed as a registered nurse or holds a license or~~
13 ~~certificate that authorizes the holder to administer an immunizing~~
14 ~~agent, to administer an immunizing agent to any a pupil whose~~
15 ~~parents have parent or guardian has~~ consented in writing to the
16 administration of ~~such the~~ immunizing agent.

17 (b) A registered nurse ~~or other authorized health care~~
18 ~~practitioner~~, acting under the direction of a supervising physician
19 and surgeon, may perform immunization techniques within the
20 course of a school immunization program provided that the
21 administration of an immunizing agent is upon the standing orders
22 of a supervising physician and surgeon and in accordance with
23 ~~such any~~ written regulations ~~as that~~ the State Department of Health
24 ~~Care Services may adopt pursuant to Section 303.5 of the Health~~
25 ~~and Safety Code.~~

26 “Supervising physician and surgeon,” as used ~~herein in this~~
27 ~~section~~, means the physician and surgeon of the local health
28 department ~~or the physician and surgeon of the school district that~~
29 is directing the school immunization program.

30 (c) While nothing in this section shall be construed to require
31 the physical presence of the supervising physician and surgeon,
32 the supervising physician and surgeon ~~under whose direction the~~
33 ~~registered nurse is acting~~ shall require ~~such a nurse or other health~~
34 ~~care practitioner under his or her direction to do both of the~~
35 ~~following:~~

36 (1) Satisfactorily demonstrate competence in the administration
37 of ~~the immunizing agents agent~~, including knowledge of all
38 indications and contraindications for the administration of ~~such~~
39 ~~agents the agent~~, and ~~in~~ the recognition and treatment of ~~any~~
40 emergency reactions to ~~such agents which the agent that~~ constitute

1 a danger to the health or life of the person receiving the
2 immunization;~~and.~~
3 (2) Possess~~such~~ *the* medications and equipment~~as that are~~
4 required, in the medical judgment of the supervising physician and
5 surgeon, to treat any emergency conditions and reactions caused
6 by the immunizing agents~~and which~~ *that* constitute a danger to
7 the health or life of the person receiving the immunization, and to
8 demonstrate the ability to administer~~such~~ *the* medications and ~~to~~
9 ~~utilize~~~~such~~ *use the* equipment as necessary.